

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

MOHAMED A. EL-TABECH,)	
)	
Plaintiff,)	4:04cv3231
)	
vs.)	
)	ORDER
HAROLD CLARKE, et al.,)	
)	
Defendants.)	

This matter is before the court on filing no. 130, the parties' Joint Motion to Extend Dates in the [Second Amended] Order Setting Schedule for Progression of Case (filing no. 120). Filing no. 130 will be granted in part and denied in part. The trial set to commence at **8:30 a.m. on Monday, May 21, 2007**, in Omaha, Nebraska, before Chief Judge Joseph F. Bataillon will be retained. All other dates, however, will be rescheduled, as set forth below.

IT IS ORDERED :

1. Joint Motion. Filing no. 130, the parties' Joint Motion to Extend Dates, is granted in part and denied in part, and filing no. 120, the Second Amended Order Setting Schedule for Progression of Case, is further amended as set forth below.

2. Planning Conference. The conference with the undersigned Magistrate Judge will be held on **December 28, 2006 at 2:00 p.m.**, by telephone call initiated by plaintiff's counsel, for the purpose of reviewing the preparation of the case to date and the scheduling of the case to trial. At the planning conference, the parties shall be prepared to propose and agree to all intermediate dates up to the final pretrial conference and to propose a time in May of 2007 during which a final pretrial conference can be held, subject to the court's calendar.

3. Summary Judgment Deadlines. While piecemeal review of claims is ordinarily not encouraged, this may be the rare case in which multiple summary judgment motions may be appropriate. Therefore, the parties may wish to consider filing successive motions for summary judgment or partial summary judgment as individual dispositive issues become ready for resolution.

4. Trial. A Non-Jury trial is set to commence at **8:30 a.m. on Monday, May 21, 2007**, in Omaha, Nebraska, before the Honorable Joseph F. Bataillon, Chief Judge.

DATED December 18, 2006.

BY THE COURT:

**s/ F.A. Gossett
United States Magistrate Judge**